

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. In particular, Applicant has amended the claims to claim a client that transmits a request that the client is to be identified in the list of the plurality of content providers as an additional content provider that provides the content file. No new matter has been added as a result of these amendments as they are supported in paragraph 27, *intra alia*, of the specification as originally filed.

Rejections

Rejections under 35 U.S.C. § 103(a)

Claims 1, 2, 4, 8-10, 14-20, 24-28, 30, 31, 36-39 and 43-50

Claims 1, 2, 4, 8-10, 14-20, 24-28, 30, 31, 36-39 and 43-50 stand rejected under 35 U.S.C. § 102(e) as being unpatentable by Levy et al., U.S. Publication 20030174861, Stefik et al., U.S. Patent No. 5,638,443, and Detlef, et al., U.S. Patent No. 6,848,002 (all previously cited). Applicant does not admit that either Levy or Detlef is prior art and reserves the right to challenge them at a later date. Nevertheless, Applicant respectfully submits that this combination does not teach each and every element of the invention as claimed in claims 1, 2, 4, 8-10, 14-20, 24-28, 30, 31, 36-39 and 43-50.

Levy discloses a system of distributors licensed to distribute content to end users. The distributors include owners of the content, such as the artist or copyright holder. The distributors can embed links (OID) in the content that points to additional information associated with the content, i.e., metadata. Levy further discloses that if an end user receives content without a link, the end user can embed a link to metadata created by the end user. Subsequent end users of the content will then be directed to the metadata created by this end user. Furthermore, Levy discloses a distributor identifier that is embedded in the content.

Stefik discloses a system for controlling the use and distribution of composite digital works. A consumer of the composite digital work can redistribute the composite digital work.

Detlef discloses updating and maintaining content provider information and locations in a registry. A client accesses this registry only to gather or update information about content providers. However, Detlef is silent as to the content provider list indicating which content provider provides which specific content.

In independent claims 1, 8, 19, 30, 38, 48, and 49, Applicant claims a client that transmits a request that the client is to be identified in the list of the plurality of content providers as an additional content provider that provides the content file. In the previous Office Action, the Examiner relies on the combination of Levy and Stefik to disclose “distributing particular content files to users and allowing users to become content providers of that file.” Furthermore, the Examiner relies on Detlef to disclose “maintaining a list of content providers and updating the list of content providers.” However, this interpretation of the combination of Levy, Stefik, and Detlef does not teach or suggest that the user, which downloaded content and becomes a content provider for the content, further makes a request to be identified in the list of the plurality of content providers as a content provider for that content as claimed.

Moreover, Applicant respectfully submits that this combination does not teach or suggest a client that transmits a request that the client is to be identified as an additional content provider that provides the content file as claimed. For example, while Stefik discloses that a consumer can be a distributor of the content the consumer downloads, Stefik is silent regarding whether this consumer further requests to be identified in a list as a content provider for that downloaded content. In addition, because the Examiner admits Levy does not disclose a client identifying itself as a distributor of content, Applicant respectfully submits that Levy cannot be properly interpreted as teaching or suggesting such a claimed element.

Furthermore, because Detlef is directed to a client that only accesses a registry of content providers and the client does not request to be part of Detlef’s registry, Applicant respectfully submits that Detlef does not teach the claimed element.

Therefore, the combination of Levy, Stefik, and Detlef cannot properly interpreted as teaching or disclosing a client that transmits a request that the client is to be identified in the list of the plurality of content providers as an additional content provider that provides the content file as claimed.

Accordingly, Applicant respectfully submits that the invention claimed in independent claims 1, 8, 19, 30, 38, 48, and 49, and claims 2, 4, 9-10, 14-17, 20, 24-28, 31, 36, 37, 39, 43-47, and 50 is not rendered obvious by the combination of Levy, Stefik, and Detlef under 35 U.S.C. § 103(a) and respectfully requests the withdrawal of the rejection of the claims.

SUMMARY

Claims 1, 2, 4, 8-10, 14-20, 24-28, 30, 31, 36-39 and 43-50 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x7514.

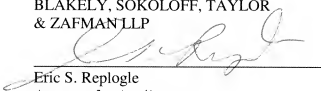
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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Dated: December 28, 2009



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